

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**RNA MEDIATED INTERFERENCE OF 11 CHOLESTERYL TRANSFER PROTEIN (CETP) GENE
EXPRESSION USING SHORT INTERFERING NUCLEIC ACID (siNA)**

the specification of which is attached hereto unless the following space is checked:

☒ was filed on April 21, 2006 as United States Application Serial Number 10/576,751.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

	<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>
1.			

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

	<u>Application Number</u>	<u>Filing Date</u>
1.	60/358,580	February 20, 2002
2.	60/363,124	March 11, 2002
3.	60/386,782	June 6, 2002
4.	60/406,784	August 29, 2002
5.	60/408,378	September 5, 2002
6.	60/409,293	September 9, 2002
7.	60/440,129	January 15, 2003
8.	60/292,217	May 18, 2001
9.	60/362,016	March 6, 2002
10.	60/306,883	July 20, 2001
11.	60/311,865	August 13, 2001
12.	60/543,480	February 10, 2004

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

	<u>Application Number</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
1.	10/864,044	June 9, 2004	Pending
2.	10/826,966	April 16, 2004	Pending
3.	10/757,803	January 14, 2004	Pending
4.	10/720,448	November 24, 2003	Pending
5.	10/693,059	October 23, 2003	Pending
6.	10/444,853	May 23, 2003	Pending
7.	10/780,447	February 13, 2004	Pending
8.	10/427,160	April 30, 2003	Pending
9.	10/727,780	December 3, 2003	Pending
10.	PCT/US04/16390	May 24, 2004	Pending
11.	PCT/US03/05346	February 20, 2003	Inactive
12.	PCT/US03/05028	February 20, 2003	Inactive
13.	PCT/US04/13456	April 30, 2004	Pending
14.	PCT/US02/15876	May 17, 2002	Pending
15.	PCT/US04/027404	August 19, 2004	Pending

I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and I direct that all correspondence be addressed to that Customer Number.


Customer Number: **020306**

Principal attorney or agent: Anita J. Terpstra

Telephone number: 312-913-0001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: James McSwiggen

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Full name of second inventor: Barry Polisky

Inventor's signature: _____ Date: _____

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